

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Aerpio Pharmaceuticals, Inc...,:
Plaintiff(s),: Case Number: 1:18cv794
vs. : Judge Susan J. Dlott
Dr. Susan E. Quaggin, et al., :
Defendant(s).:

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on September 26, 2019 (Doc. 64), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired October 10, 2019, hereby ADOPTS said Report and Recommendation.

Accordingly, defendant Quaggin's motion to compel arbitration/stay the case (Doc. 29) is GRANTED. This case is hereby STAYED pending the completion of arbitration proceedings between plaintiff Aerpio and defendant Quaggin.

The University's motion to dismiss (Doc. 32) Mannin's motion to dismiss the complaint for lack of jurisdiction or, in the alternative, to dismiss plaintiff's declaratory judgment claim as to patent application inventorship and/or stay all claims against Mannin pending arbitration plaintiff and Quaggin (Doc. 42), and Aerpio's motion for leave to file an omnibus surreply (Doc. 53) as to the University and Mannin's motion to dismiss are DENIED without prejudice and subject to resubmission following the lifting of the stay.

IT IS SO ORDERED.

s/Susan J. Dlott

Judge Susan J. Dlott
United States District Court